

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
Amendment of Section 1.773) CC Docket No. 92-117
of the Commission's Rules)
Regarding Pleading Cycle for)
Petitions Against Tariff)
Filings Made on 14 Days' Notice)

REPLY COMMENTS OF
AMERICAN TELEPHONE AND TELEGRAPH COMPANY

American Telephone and Telegraph Company ("AT&T")
hereby submits its reply comments on the Notice of Proposed
Rulemaking in CC Docket No. 92-117, released June 1, 1992
("Notice").

Most commenters support the Commission's proposal
to modify slightly the pleading cycle for petitions seeking
investigation, suspension or rejection of tariff filings
made on 14 days' notice.¹ No commenter provides any basis
for rejection of the Commission's proposal.

In particular, there is no basis for the
suggestion of some commenters that the Commission decline to
adopt its proposal to reduce by one day the time to file
petitions.² These commenters claim that there is no way for

¹ A list of other parties submitting comments and the
abbreviated designations used herein is attached hereto
as Appendix A.

² See TMA, pp. 2-3; Networks, pp. 2-4. There is likewise
no basis to adopt IRA's absurd proposal that carriers be
required to transmit two facsimile ("fax") copies of each

(footnote continued on following page)

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interested parties to receive timely notice of tariff filings, and that any reduction in the time to file petitions would impair their ability to intervene. All of these commenters, however, overlook the existing provision of the Commission's Rules requiring carriers to serve on the Commission's commercial contractor complete copies of their tariff filings.³ There is nothing to prevent parties from arranging with the contractor for further notice and delivery of tariff filings in which they may be interested.⁴

The comments submitted in response to the Commission's inquiry (Notice para. 5) about "the advisability of allowing service by facsimile" in lieu of

(footnote continued from previous page)

of their tariff filings to all persons notifying them of an interest in their tariffs. This proposal, which is particularly ironic in view of IRA's expressed concern about "unnecessary costs" imposed by tariff filing requirements (see comments of IRA, CC Docket No. 92-13, filed March 30, 1992, p. 1), would impose extraordinary burdens on carriers and completely eviscerate the benefits of streamlined regulation, and is wholly unnecessary in view of the availability of tariff filings from other sources, including (as explained below) the Commission's commercial contractor.

³ See 47 C.F.R. Section 61.32(c).

⁴ Some carriers (e.g., Southwestern Bell) express the concern that the proposed wording of Section 1.733 could require carriers to file piecemeal replies to petitions filed on different days. This concern can be addressed by adopting AT&T's proposal (p. 2 n.2) to clarify the rule to provide that a reply must be filed three calendar days after the last day for timely filing of a petition. See also Ameritech, p. 2.

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personal services are divided.⁵ Even those commenters who would support a proposal to permit service by fax, however, urge the Commission to adopt safeguards to ensure receipt of such service.⁶ If the Commission decides to permit service by fax, it should require parties electing this method of service to confirm the receipt of the service copy, and include in a certificate of service filed with its pleading the name of the person who provided such confirmation on behalf of the recipient.

Respectfully submitted,

AMERICAN TELEPHONE AND TELEGRAPH COMPANY

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August 7, 1992

⁵ Compare, e.g., Pacific, p. 3 (opposing service by fax) with MCI, p. 3 (supporting service by fax).

⁶ See, e.g., GTE, p. 3; BellSouth, p. 3; Ameritech, p. 3; IRA, p. 2.

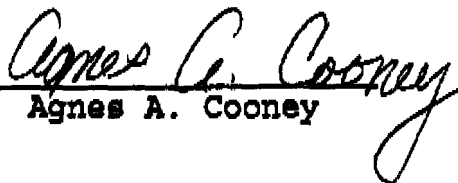
Appendix A

Other Parties Submitting Comments in CC Docket No. 90-132

1. Ameritech Operating Companies ("Ameritech")
2. Bell Atlantic Telephone Companies ("Bell Atlantic")
3. BellSouth Telecommunications, Inc. ("BellSouth")
4. Capital Cities/ABC, CBS, NBC, and TBS ("Networks")
5. GTE Service Corp. ("GTE")
6. Interexchange Resellers Ass'n ("IRA")
7. MCI Telecommunications Corp. ("MCI")
8. Pacific Bell and Nevada Bell ("Pacific")
9. Southwestern Bell Telephone Co. ("Southwestern Bell")
10. Telecommunications Marketing Ass'n ("TMA")
11. U S West Communications, Inc. ("U S West")
12. United States Telephone Ass'n ("USTA")

CERTIFICATE OF SERVICE

I, Agnes A. Cooney, do hereby certify that a true copy of the foregoing "Reply Comments of American Telephone and Telegraph Company" was this date served by first-class mail, postage prepaid, upon each person on the attached service list.



Agnes A. Cooney

Dated: August 7, 1992

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